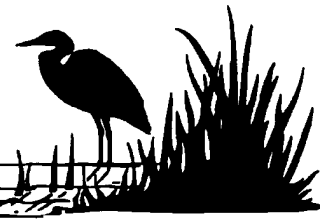


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Maryland Conservation



WINTER 2009 VOLUME 16, ISSUE 1

A MESSAGE FROM LEE MCDANIEL, PRESIDENT MASCD

We were extremely pleased that Governor Martin O'Malley invited district chairmen to meet with him and the Tributary Strategy Teams on March 9th to discuss BayStat and plans to meet the two-year goals. I had a list of items I wanted to bring up to the Governor but I couldn't attract his attention. I wanted to make sure he knew that the districts are the workhorses of Bay restoration activities on agricultural land and that we have the experience, respect, knowledge, trust, and the infrastructure to maximize Bay clean up activities (even in spite of our limited staff). I had also hoped to get his assistance with our budget concerns but I am doing that in a thank you letter I am sending to him. I am glad Elmer Weibley asked the Governor to maintain funding for the 12 contractual positions; he sounded committed to the funding at least for the next year.

To my knowledge this is the first time a Governor has asked to speak with us, and not just to us, so I am very thankful to the Governor and hope this is the beginning of more discussions to come. If you have not already done so, I suggest you check out the Governor's website <http://www.baystat.maryland.gov>, which displays the Bay restoration goals and the progress by tributary and statewide. Most of the categories listed under "Solutions" are related to our work with the agricultural community.

At the upcoming MASCD Board meeting on March 24th, we will be working on several important issues. Feedback today from MDE on the number of farmers who have signed up under the CAFO NOI requirement exceeds 400. Far more than we ever envisioned. NRCS also reports 1,000 farmers signing up for CNMPs. We will have some discussions at the meeting about how districts are to help our farmers meet the CNMP requirements.

Also up for discussion is the Forestry MOU. I have had feedback from several districts as to changes you would like to see, so please be prepared to share your comments to make sure any district issues are addressed.

District workload continues to grow! I want to express my appreciation to you all for your ongoing commitment to the roles we play as district supervisors and staff. Without your "can do" attitude, our agricultural and urban clients would be hard pressed to function.

LEGISLATIVE UPDATE BY LYNNE HOOT

The biggest issues for MASCD in the 2009 General Session are in the budget. But we are not alone! HB 101/SB 166 "The Budget Reconciliation and Financing Act" removes the language in the law that provides the districts with 110 positions and, as of writing, caps the funding at \$9.3 million permanently with no phased in staffing to bring the districts towards the 110 positions as exists in the original bill. Supervisors are encouraged to call members of the Appropriations and Budget and Tax Committees, we do not expect to get additional funding in 2009, however to remove the 110 language and cap the future funding eliminates the commitment that the legislature made to the agricultural community when the Water Quality Improvement Act of 1998 passed and again when the Agricultural Stewardship Act of 2006 passed. (Each district manager has more specific information.)

Funding for cover crops is also in danger, the Governor proposed \$17.7M in his budget for cover crops. This is \$6M from the CB Restoration Fund (flush tax) and \$11.7M from 2010 funds. In the House, the Department of Legislative Services (DLS) has recommended that the 2010 funds for cover crops be cut by \$5M to provide \$12.7M in total (\$6M from the CB Restoration Fund & \$6.7M from 2010 funds). In the Senate, DSL recommended the 2010 funds for cover crops be cut by \$10M, and transferring \$5M from the unused septic portion of the flush tax assigned to MDE to cover \$5M of the \$10M reduction.

Both would net a \$5M reduction, but if for some reason the process to transfer the \$5M from MDE does not occur, the end result could be \$10M less for cover crops in FY10 or \$7.7M. Needless to say, either way, the total allocation for cover crops is currently set to become at most \$12.7M at a time when we are being asked through BayStat to do more to reach our targets. Obviously, we would like to see full restoration of the \$17.7M, but certainly a \$5M cut is excessive and \$10M unacceptable.

MASCD is weighing in on the "Standing Bill", HB 1053/SB 824 "Community Environmental Protection Act of 2009", which significantly broadens who has the right of "standing" with permits, licenses and other administrative decisions within MDE and DNR. MASCD's major concerns relate to the permits we are required to obtain to install BMPs and how this legislation could stall the installation of BMPs and negate the expedited arrangement the districts have to obtain these permits from MDE. Although the intent is to improve water quality, any organization that, for example doesn't support animal agriculture, could weigh in on a permit approval process and grind it to a halt. Needless to say, MASCD is not the only one with concerns and there have been several work groups meetings to try to come to consensus. At the hearing on March 11th, a greatly amended bill was discussed but consensus was not apparent. This is a big legal issue and one about which

(Continued on page 4)

PERSONNEL NOTES

MDA WELCOMES...

Lucas Hughes, S.C. Associate, Worcester SCD

MDA BIDS FAREWELL TO...

Eric Webberking, S.C. Engineering Technician, Cecil SCD

Kimberly Vaughan, S.C. Associate, Harford SCD

NRCS ANNOUNCES...

Cliff Bienko will serve as District Conservationist for the Harford and Cecil Administrative Area beginning on November 30, 2008.

John Englert accepted the position as National Plant Materials Program Manager at NRCS National Headquarters in Washington, DC. His new appointment was effective December 21, 2008. Anne Lynn, State Resource Conservationist, will be serving as acting National Plant Materials Center Manager until further notice.

Jean Howard, joined the State Office Administrative Team as the Human Resources Assistant on December 8th.

Tim Pilkowski, State Agronomist served on a detail as Technical Service Provider in the Science and Technology Deputy area at NRCS National Headquarters in Washington, DC.

Amanda Moore, joined the State Office staff as the new State Soil Scientist for Maryland and Delaware on February 1, 2009. Moore previously worked as a GIS Specialist with the NRCS-National Geospatial Development Center in Morgantown, West Virginia.

Robert Ellsworth, a Contract Specialist in the State Office, retired from Federal Service in January 2009.

Ray Sufczynski, a Soil Conservationist in the Queen Anne's Field Office transferred to NRCS in Arkansas in January 2009.

ITEMS OF INTEREST

ANNUAL REPORTS AVAILABLE

The Maryland Department of Agriculture (MDA) has published its 2008 annual reports for the Maryland Nutrient Management Program and the Maryland Agricultural Water Quality Cost-Share (MACS) Program. The reports highlight agriculture's activities and accomplishments in protecting water quality in the Chesapeake Bay and its tributaries. They are available on line at www.mda.state.md.us or by calling 410-841-5863.

The Maryland Association of Soil Conservation Districts has released its 2008 annual report titled, "Maryland's Local Conservation Delivery System". The report highlights the ways Maryland's 24 soil conservation districts work to protect natural resources. For a copy, contact Lynne Hoot at 410-956-5771 or visit www.mascd.net.

CONSERVATION PARTNERSHIP CIVIL RIGHTS AND WORKFORCE DIVERSITY AWARD

The Maryland Civil Rights Advisory Committee with representatives from the NRCS, MASCD, MDA, and the Maryland Cooperative Extension developed and established a Civil Rights and Workforce Diversity Award. The objective is to recognize an individual employee who has significant contribution in the area of civil rights and workforce diversity. Employees from all participating agencies may be nominated. A written narrative of 250 words or less is required. The award certificate is planned to be presented during the summer MASCD meeting. Nominations forms may be obtained from and submitted to Oliver Miranda USDA NRCS at 5301 Marlboro Race Track Road, Upper Marlboro, MD 20772. Contact information: Phone (301)-574-5162 extension 3, and email oliver.miranda@md.usda.gov. Nominations must be post-marked on or before April 30, 2009.

EVENTS

NACD NE & MASCD ANNUAL MEETING JULY 26-29

Adjust your schedule to attend the combined NACD NE Regional and MASCD Annual meeting to be held July 26-29, 2009 at the Holiday Inn at Solomons. Plans are underway for an interesting and informative meeting. Because of our proximity to Washington DC, we hope to be able to draw some of the new federal Administrations leadership to this regional meeting.

The five regions of MASCD have agreed to tackle different tasks in organizing this regional event. The Central area is taking on the responsibility for overall planning, Lower Shore is Registration, Upper Shore is the Hospitality Room, Southern Maryland is organizing tours and Western Maryland will handle the fundraising. With support from our Conservation Partners we expect to put on a first class event to showcase the states conservation issues and to share some good Maryland hospitality for our colleagues from the northeast.

FUTURE DATES TO REMEMBER	
March 19	SSCC, MDA, Annapolis
March 24	MASCD Board Meeting, MDA, Annapolis
April 16	SSCC, MDA, Annapolis
April 26-May 3	Soil & Water Stewardship Week
May 21	SSCC, MDA, Annapolis
June 16-18	Maryland Envirothon, Mount. St. Mary's University, Emmitsburg
June 18	SSCC, MDA, Annapolis
June 26	MACCA August Exam Registration Deadline
July 16	SSCC, MDA, Annapolis
July 26-29	NACD NE and MASCD Meeting, Solomons
Aug 2-8	Canon Envirothon, Asheville, NC
August 7	MACCA Exam

2009 SSCC WORKPLAN

The November meeting of the SSCC focused on development of a workplan for the upcoming year. The workplan outline follows:

Action items

1. Urban programs
 - a. MASCD lead on development of erosion and sediment control professional certification program
 - b. SSCC participate in process for updating MDE sediment and erosion control standards and specifications
 - c. SSCC continue to work on stormwater NOI issues w/MDE
 - d. SSCC provide recommendations to SCDs for developing statewide policies for addressing new responsibilities related to change in stormwater review requirements including fee structures, public information requests, etc.
2. CREP – Develop outreach plan for promoting new program targeting
 - a. Current participants for contract continuation
 - b. New potential participants based on environmental benefits of enrollment
 - c. Sensitive lands to enroll in DNR easement
3. Partnership issues –ongoing coordination
 - a. Interagency MOUs
 - b. Information/technology sharing
 - c. Coordinated program support

Education topics

1. Energy issues - environmental impacts of alternative energy development
 - a. Wind turbines
 - b. Shale development
2. Nutrient trading and carbon trading issues

Information/update topics

1. Land use planning issues
 - a. Md Dept. Planning: State Development Plan
 - b. Local government development of water resources components (HB1141)
2. Review Board structure and governance

2010 CHESAPEAKE BAY TRUST FUND

Governor Martin O'Malley recently announced the first recipients of the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund (Trust Fund) grants. Established in November, 2007, the Trust Fund was created to provide a dedicated source of funding to accelerate Bay restoration by focusing financial resources on the most effective nonpoint source pollution control projects.

Generated from rental car and motor fuel tax revenue, the Trust Fund for fiscal year 2009 is valued at \$9.6 million; the Governor has proposed \$25 million in funding for fiscal year 2010.

The Chesapeake and Atlantic Coastal Bays 2010 Trust Fund finances a variety of practices that help reduce nutrients and sediment in the Bay and its tributaries. Over \$6 million was budgeted for agricultural practices such as cover crops, buffer planting and animal waste management in 2009. These practices are slated to receive \$13.9 million in 2010. Pending approval by the Board of Public Works, individual urban and suburban stormwater projects and comprehensive watershed restoration programs will receive \$11.3 million over the next two fiscal years.

Eight Maryland Counties and Baltimore City have been identified to receive funding:

Anne Arundel County will receive funds for work in the Magothy River watershed and 2 stormwater projects in Spa Creek.

Baltimore City will receive watershed funding and help with two stormwater projects.

Baltimore County is scheduled for assistance with a stormwater project in Back River.

Harford County will use its grant for improvements to the Bush River/Wheel Creek watershed.

Howard County has earmarked its funding for work in the Little Patuxent River watershed.

Kent County has proposed improvements to the Middle Chester River watershed.

Prince George's County will invest in four stormwater projects.

Queen Anne's County will use their grant for improvements to the Corsica River watershed.

Talbot County has work scheduled for the Tred Avon River watershed and 1 stormwater project.

SSCC



Report

Information from the State Soil Conservation Committee

UPDATES

Marcella Shale Mining & Resource Concerns

In January, Herb Sachs, MDE discussed the mining issue that MDE is dealing with related to Marcella shale which is being addressed by MALPF boards since it may effect land protected under agricultural land preservation programs. Despite the technology which allows directional drilling from off-site, the volume of water use and its discharge are issues. Currently there are 40,000-50,000 acres under contract in Garrett county. MDE has briefed Governor and is working with DNR and MALPF on eased or public land issues.

Stormwater Management – MDE Regulatory Changes Proposed

In January, Herb Sachs, MDE, reported that there would be a delay in issuance/finalization of stormwater NOI and general permit. The issuance was appealed by Waterkeeper Alliance on December 31, 2008, the last day for challenge. Sec. Wilson will need to evaluate the issues that form the basis of the appeal and render a decision. In the interim there will be no changes in the way SCDs handle E&S review/processing. Permit changes were to impact SCD processing and approval of Erosion and Sediment Control Plans.

MACS 2008-2009 Cover Crop Program
SCD and MACS staff did field checks and process 1600 fall certifications for 237,000 acres planted in the 2008/2009 Cover Crop and Small Grains Programs. Projected funding to support the program is \$11 million.

The University of Baltimore Schaeffer Policy Center is doing a survey of program participants and non-participants to help inform development of next year's program.

APPOINTMENTS

- Baltimore County SCD – J. Michael McGinnis
- Cecil SCD – Edgar Hevelow
- Frederick SCD – Bobby Meyers
- Howard SCD – Kenneth Clements

LEGISLATIVE UPDATE (CONTINUED FROM PAGE 1)

MASCD has concerns but is not in the front row. The poultry industry has very specific concerns about the impacts of the bill now that there are so many newly regulated premises under the CAFO law. The bill would also impact water use permits.

MASCD spoke in favor of HB 315/SB 278 "Greenhouse Gas Emissions Reduction Act of 2009" with an amendment to ensure that the soil conservation districts have a seat at the table when the plan is being developed. This is to ensure that districts get a role in any carbon cap and trade program and to make sure agriculture, who does not set their market prices, is not adversely impacted.

MASCD was asked to consider supporting SB 554/HB 176 "The Bay Restoration Act of 2009", which requires new and replacement septic systems to have nitrogen removal equipment. The response from districts when asked was overwhelmingly in support of the legislation, in part because there are cost share funds available from the Bay Restoration Program. As a result MASCD testified in support of SB 554, noting that while wastewater treatment plants are close to reaching 90% of the Bay goals and agriculture is close to 50% of their goals; the urban sector had gone backwards over 70%. We acknowledged that agricultural practices are more cost effective than urban practices, however, it is our feeling that unless the urban sector starts to make progress towards their restoration goals, there is no way the agricultural community can achieve the Bay restoration activities for both segments.

Although nitrogen removal equipment is expensive, it is anticipated that once demand increases the competition will expand and prices will decline. MASCD's support for the legislation was welcomed.

MASCD spoke in favor of HB 166 "Maryland Estate Tax - Exclusion for Qualified Agricultural Property", which would allow families to pass their agricultural property down to family members without paying estate taxes as long as the land stays in agriculture for at least 10 years. The bill will not pass this year but MASCD has been a consistent supporter of this to preserve the family farm.

MASCD supported HB 221 "Bay Restoration Fund - Disbursement of Funds" to switch the funding for the cover crop portion of the septic fee from 40% to 60%. We asked that the decision on the bill be held until the budget committees had made their decisions on cover crop funding but alas the bill was voted down anyway.

MASCD had originally sought to get legislation passed to support a subtraction modification for global positioning system devices, nitrogen injection equipment and vertical tillage equipment however, Sen Middleton and Del Conway requested we wait for a better economic climate. We agreed and their future support will help get this legislation passed to improve nutrient efficiency.

NUTRIENT MANAGEMENT

NUTRIENT MANAGEMENT PROGRAM OCTOBER-DECEMBER 2008

Inspections were conducted on 87 agricultural plans developed by certified consultants and operators. Reviews were conducted on 65 nutrient management plans that were required as part of MACS agreements. The overall quality of plans continues to climb, with deficiencies in record keeping, mapping and minor recommendation issues noted most often. Twenty-nine inspections were conducted at companies providing commercial nutrient applications for agricultural operators.

Agricultural nutrient management implementation specialists issued 45 non-compliance warnings out of 96 inspections. Inspectors most often cited operators for having expired plans, nutrient application over the recommended amounts and lack of manure management records.

Annual Implementation Report filing requirements were met by 98% of operators; 114 operators who missed the March 1, 2008, filing deadline were issued charge letters during the last quarter of 2008.

Non-agricultural inspections were conducted on 4 golf courses, 13 lawn care companies, and 2 public agencies. Of those, 3 lawn care operations were issued warnings, most often for failure to soil test and apply nitrogen and phosphorus within guidelines established by the University of Maryland. 8 of the inspections were to follow up on previously noted deficiencies, and 7 were found to have come into compliance.

Over 1,000 persons earned nutrient management continuing education credits from participating in 46 programs sponsored by MDA and the University of Maryland. Thirteen persons attended specialized training in writing plans for their own greenhouse and nursery operations, in preparation for the farmer/operator certification exam.

2007 CENSUS OF AGRICULTURE RELEASED

The U.S. Department of Agriculture released its every-five-year Census of Agriculture showing that in Maryland since the last Census conducted in 2002 there are 636 or 5 percent more farms, 25,874 or 1 percent fewer acres of farmland, and 16 percent more female principal farm operators. The latest figures indicate that farmers enrolled 57 percent more farms and 48 percent more acreage in conservation programs between 2002 and 2007. From an economic standpoint, the value of agricultural products sold increased 42 percent to \$1.84 billion while production expenses increased by 137 percent to \$1.55 billion. Average net farm income increased 59 percent from 2002 to 32,161 per farm.

"These data show a true and increasing commitment by farmers to use conservation practices as part of their farm management and to protect the environment for future generations and I thank them for that commitment," said Governor Martin O'Malley. "Agriculture is resilient and a critical part of our state's economy, quality of life, environment and food supply and one that we are committed to strengthening." For more info visit <http://www.agcensus.usda.gov/>.

INTERNET

A WEBSITE FOR MANY PURPOSES – SOIL QUALITY



The Soil Quality National Technology Development Team is collaborating with the National Soil Tilth Lab, NCERA-59 scientists, and the Department of Natural Resources and Environmental Sciences at the University of Illinois

at Urbana-Champaign to develop soil Quality, a web-based, central clearinghouse for soil quality information. The Soil Quality clearinghouse presents basic soil quality concepts for beginners and will guide advanced users through specifics for soil quality assessment and management.

In addition to providing soil quality information to a worldwide audience, Soil Quality will be used to meet NRCS training objectives. Students attending the NEDC course "Soil Quality Assessment and Applications for Field Staff," (the revised version to be piloted during Spring 2009) will complete pre-course assignments by visiting Soil Quality allowing formal training time to be used more efficiently.

The Soil Management Assessment Framework (SMAF) is a soil quality indexing tool that launches from Soil Quality SMAF that provides site-specific interpretations for measured soil properties. SMAF allows users to input their own lab data or 'what if' scenarios to investigate climate, crop, soils, and management effects on soil quality.

Described as 'Soil Quality for Environmental Health,' Soil Quality is an experiment in the participatory development of a website to keep content current and provide content authors on-line publication credit for their contributions. Your contact is NRCS ecologist Dr. Holli Kuykendall at 336-370-3341, <http://soilquality.org/>.

TEAM UPDATES

NRCS WRAPS UP CFC

Lydia Donovan, NRCS State Office Coordinator for this year's Combined Federal Campaign (CFC) reported that employees made 15 donations that raised \$4,447 for charitable causes. Of these donations, nine were at the Bronze Level, two were at the Silver Level, and one was at the Gold Level.

Lydia would like to thank everyone for their support of the Combined Federal Campaign.



2009 STEWARDSHIP WEEK

The Stewardship and Education Committee is pleased to announce the 2009 Stewardship theme: "Dig It! The Secrets of Soil." Stewardship Week will be officially celebrated April 26 to May 3, 2009, but we encourage you to celebrate throughout the year. Materials for 2009 Stewardship Week will be available at <http://nacdstore.org/>

NACD is using the 2009 theme, "Dig It! The Secrets of Soil," in partnership with the Smithsonian Institute and Soil Science Society of America. NACD's stewardship and education material developed through this collaboration complements the Smithsonian "Dig It! The Secrets of Soil," exhibition, which will run July 19, 2008 through January 3, 2010 at the Smithsonian National Museum of Natural History and travel to museums across the United States, May 2010 to September 2013.

If you have any questions regarding Stewardship Week, please email stewardship@nacdnet.org.

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Maryland Conservation



is a quarterly newsletter published for and about the members of Maryland's Conservation Partnership: MD Department of Agriculture, MD Association of Soil Conservation Districts, USDA Natural Resources Conservation Service, USDA Farm Service Agency, MD Cooperative Extension Service, and the State Soil Conservation Committee.

The deadline for articles is January 30, April 30, July 30 and October 30. Please direct comments or questions to the Maryland Association of Soil Conservation Districts at (410) 956-5771.

The members of the Conservation Partnership prohibit discrimination in their programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact the USDA TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint, write the Secretary of Agriculture, USDA, Washington, D.C. 20250 or call 1-800-245-6340 (voice) or (202) 720-5964 (TDD). Agencies in the Maryland Conservation Partnership are equal employment opportunity employers.



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